

4-23-04

2661

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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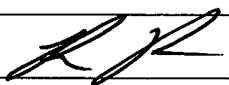
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TRANSMITTAL FORM APR 22 2004 (to be used for all correspondence after initial filing)	Application Number	10/002,328
	Filing Date	November 1, 2001
	First Named Inventor	Shahram Malek
	Group Art Unit	2661
	Examiner Name	Scott M. Getzow
Total Number of Pages in This Submission	Attorney Docket Number	011738.84217

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO/SB/08a and b <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Formal Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Express Mail Certificate Return Receipt Postcard
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APR 28 2004

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Firm or Individual name	Binal J. Patel
Signature	
Date	April 22, 2004

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FEE TRANSMITTAL for FY 2004		Complete if Known	
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	10/002,328
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	November 1, 2001
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Shahram Malek
180		Examiner Name	Scott M. Getzow
		Art Unit	2661
		Attorney Docket No.	011738.84217

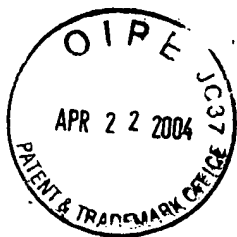
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<input checked="" type="checkbox"/> Deposit Account:		Large Entity Small Entity	
Deposit Account Number: 19-0733		Fee Code Fee (\$)	
Deposit Account Name: Banner & Witcoff, LTD.		Fee Description	
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FEE CALCULATION			
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Fee Description			
Fee Paid			
SUBTOTAL (1)		(\$) 0	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims Extra Claims Fee from below Fee Paid			
Independent Claims ** = 0 X = 0			
Multiple Dependent X = 0			
Large Entity Small Entity			
Fee Code Fee (\$)			
Fee Description			
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*or number previously paid, if greater; For Reissues, see above			
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Binal J. Patel	Registration No. (Attorney/Agent)	42,065
Signature		Telephone	(312) 463-5000
		Date	April 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 011738.84217)

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In re Application of:

Shahram Malek, et al.

Serial No.: 10/002,328

Filed: November 1, 2001

For: METHOD AND APPARATUS FOR
PROGRAMMING AN IMPLANTABLE
MEDICAL DEVICE

Group Art Unit: 2661

Examiner: Scott M. Getzow

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. 1.56. The references are listed on the enclosed and completed Form PTO/SB/08A.

REFERENCES

U.S. Patent Documents

1. US Patent No. 5,438,990 – Wahlstrand, et al., issued August 8, 1995;
2. US Patent No. 5,683,432 – Goedeke, et al., issued November 4, 1997; and
3. US Patent No. 6,067,474 – Schulman, et al., issued May 23, 2000.

US Patent Application Publication

1. US 2001/0003799 A1 – Published June 14, 2001.

04/26/2004 SSESHE1 00000153 190733 10002328

01 FC:1806 180.00 DA


Other References

1. PCT International Search Report mailed October 9, 2003.

Respectfully submitted,
BANNER & WITCOFF, LTD

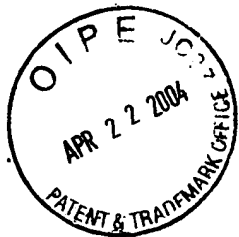
Dated: April 22, 2004

By: _____


Binal J. Patel
Reg. No. 42,065

PTO/SB/08a (08-03)

PTO/SB/08b(08-03)



**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

Express Mail No. EV306398589US

Deposited: April 22, 2004

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Application of: Shahram Malek, et al.

Application No.: 10/002,328

Filing Date: November 1, 2001

Title: Method And Apparatus For Programming An Implantable Medical Device

Transmitted herewith are the following documents:

- ☒ Transmittal Form (1 page) in duplicate
- ☒ Fee Transmittal (1 page) in duplicate
- ☒ Information Disclosure Statement (2 pages)
- ☒ Form PTO/SB/08a and b (2 pages) without references
- ☒ Return Postcard

Attorney Docket No.: 011738.84217